

**Tippecanoe County Drainage Board**  
**Minutes**  
**July 5, 2006**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison.

**Approval of Minutes**

John Knochel made a motion to approve the June 7<sup>th</sup>, 2006 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The June 7<sup>th</sup>, 2006 Drainage Board meeting minutes were approved as written.

**Park 350 Subdivision**

Brandon Fulk appeared before the Board to request final approval for Revised Park 350 Subdivision project. The site is located south of County Road 350 South, west of the intersection C.R. 350 South and U.S. 52. The site consists of approximately 137 acres. The north half drains north to the C.R. 350 South side ditch- ultimately draining to the southern portion of the J.N. Kirkpatrick Regulated Drain and the south half drains directly to the tile system of the Upper J.N. Kirkpatrick Regulated Drain. Infrastructure to support industrial development was proposed. A channel reconstruction along the regulated drain would provide an outlet for the majority of the Stormwater runoff within the subdivision.

Brandon stated final approval with conditions was obtained last year, however an alternate design is presently proposed based on the Upper J.N. Kirkpatrick Regulated Drain Reconstruction. The northern portion of the site would now drain directly to an onsite pond. Brandon referred to the Variances and Encroachments listed on the June 30, 2006 Burke review memo. Item #1: The slope of the pond to the south would have a 6:1 side slope and maintenance ledge included. This would be updated on the plans. The 20 feet embankment would also be provided as required in Item #2 of the conditions. He referred to the Stormwater Quantity conditions. Item #2: The appropriate documentation of ownership would be provided for the record and clarification and they concurred with item #2 of the Stormwater Quality section. Electric and Gas Encroachment Agreements would be forthcoming. He stated they concurred with said review memo and requested final approval for the revised plans of the Park 350 Subdivision. In response to the Surveyor's inquiry, Brandon stated Pond 300 was designed to accommodate additional development in the area. The drainage runoff route of future development to the pond had not been determined to date and would be submitted for review as the Ordinance required. The Surveyor recommended final approval with the conditions as stated on the June 30, 2006 Burke memo. John Knochel made a motion to grant final approval with the conditions as stated on the June 30, 2006 Burke memo for Park 350 Subdivision. Ruth Shedd seconded the motion. Park 350 Subdivision was granted final approval with the conditions as stated on the June 30, 2006 Burke memo.

**Alexander Ross Regulated Drain #68/Petition for Encroachment**

The Surveyor reviewed a Petition to Encroach on the Alexander Ross Regulated Drain #68 for the Board. A water main line would be constructed approximately 5 feet below the bottom of ditch in order to provide service for Lot 7A in 26 Crossings Subdivision south of Lafayette Business College and PEFCU in 26 Crossing Subdivision. He recommended granting the encroachment to TK Constructors Petitioners. John Knochel made a motion to grant the Encroachment Petition on the Alexander Ross Regulated Drain #68 as presented. Ruth Shedd seconded the motion. The Petition to Encroach on the Alexander Ross Regulated Drain was granted to TK Constructors, Petitioners.

**Upper J.N. Kirkpatrick Regulated Drain #46 Improvements**

The Surveyor stated multiple meetings had been held with the Upper JN Kirkpatrick Regulated Drain property owners since early fall of last year regarding property issues. Due to present and future development in the area the original regional detention concept was no longer planned. A new open ditch would be constructed which would provide a positive outlet for the area. The individual property owners would provide their own detention as they develop their property. The Surveyor then noted the Board declared the area a Drainage Impact Area this year. The documents for reconstruction were complete, a wage scale had been obtained and the project would be offered for bid in the coming weeks. The County Highway would

construct the culvert on County Road 450 East over the proposed ditch. In addition the gas company agreed to relocate the high-pressured lines at their own expense. The contractor bidding on the new school site was interested in obtaining some of the dirt for that project site. The Surveyor stated the project was on schedule to receive BIDS at the August Drainage Board Meeting. John Knochel made a motion to approve the Upper JN Kirkpatrick Regulated Drain #46 Improvement Plans and the Drainage Board to sign the cover sheet of the plans as submitted by the Surveyor in addition to the acceptance of BIDS on August 2, 2006 at 10 a.m. Ruth Shedd seconded the motion. The Board would sign the Upper JN Kirkpatrick Regulated Drain #46 Improvement Plans and the acceptance of BIDS for the Upper J.N. Kirkpatrick Regulated Drain #46 was scheduled for August 2, 2006 at 10 a.m.

#### **J. Berlowitz Regulated Drain #8 Regional Detention Agreement Phase 1/ Eastland Development**

The Surveyor stated he had hoped to present a final Agreement concerning the J. Berlowitz Regulated Drain #8 Regional Detention Phase 1 with Eastland Development; however it was not ready at this time. He stated he had met with Mr. Derrin Sorenson, President of Eastland Development and Mr. Bill Davis last week and reached an agreement. He informed the Board the County would gain land south of the proposed pond at the southeast corner of 50 South and 550 East. Eastland Development's desire was that the excess property would be turned over to the County Parks Department for area residents. He had thought the agreement would be available to be approved by the Board this a.m., however, he requested a recess of the meeting until July 7, 2006 at 11:30 a.m. The Attorney stated he would review the agreement in the interim and felt his presence would not be necessary for the Board to sign.

#### **Maintenance Bonds/Letter Of Credit**

**Raineybrook Pt 2 Sec 2 Ph 1/L.O.C.#600/Raineybrook LLC/Dated July 3, 2006**

**Retreat at Hickory Ridge Maint. Bond #1750832/\$14580.00/Atlas Exc. /Dated Sept. 7, 2005**

The Surveyor presented the following maintenance Bonds for acceptance by the Board: Raineybrook Pt 2 Sec 2 Ph 1: Letter of Credit #600 from Raineybrook LLC dated July 3, 2006 in the sum of \$8686.00 and the Retreat at Hickory Ridge Maintenance Bond #1750832 from Atlas Excavating dated Sept. 7, 2005 in the sum of \$14580.00. John Knochel made a motion to accept the Raineybrook Pt 2 Sec 2 Ph 1 Letter of Credit #600 from Raineybrook LLC dated July 3, 2006 in the sum of \$8686.00 as well as Retreat at Hickory Ridge Maintenance Bond #1750832 from Atlas Excavating dated Sept. 7, 2005 in the sum of \$14580.00. Ruth Shedd seconded the motion. Raineybrook Pt 2 Sec 2 Ph 1 Letter of Credit #600 from Raineybrook LLC dated July 3, 2006 in the sum of \$8686.00 and Retreat at Hickory Ridge Maintenance Bond #1750832 from Atlas Excavating dated Sept. 7, 2005 in the sum of \$14580.00 was accepted by the Board.

#### **Public Comment**

As there was no public comment, KD Benson stated the meeting would be recessed until July 7, 2006 at 11:30 a.m.

---

#### **July 7, 2006 11:30 A.M.**

KD Benson called the recessed meeting back to order. Drainage Board Vice President John Knochel, County Surveyor Steve Murray, and Drainage Board Secretary Brenda Garrison were also in attendance. Commissioner Ruth Shedd, Drainage Board Attorney Dave Luhman and Dave Eichelberger Engineer Consultant were absent.

#### **Eastland Development/Agreement**

KD Benson stated the recessed meeting was due to finalizing the Eastland Development Agreement with the Drainage Board for the Berlowitz Regulated Drain #8 Regional Drainage Phase 1 project. The Surveyor then informed the Board the Berlowitz Regulated Drain #8 Regional Reconstruction Phase 1 ran from I65 to C.R. 50 South and included the C.R. 550 East basin and C.R. 50 South basin. The agreement contained several Exhibits (A through E) and detailed the work to be done and the land which would be granted to the Board by Fee Simple or Drainage Easement. It also detailed the amount of excavation to be placed on Eastland Development property south of the proposed Regional Detention Basin, (property known as Hawthorne Lakes, Hawthorne Meadows) in addition to credits the Development would receive for detention storage. He stated the agreement would provide a savings to the taxpayer of approximately 2 million dollars from the original cost of the project and allow the Contractors developing the Clarian Arnett Hospital site to remove excess dirt from the Eastland Development LLC site and transport to the Clarian site. He recommended the Board sign the agreement with Eastland Development LLC and Saddlebrook Development LLC. KD Benson noted the Attorney had approved the agreement to

form. John Knochel made a motion to approve the said agreement between the Board and Eastland Development and Saddlebrook Development LLC. KD Benson seconded the motion. The agreement was approved as presented by the Surveyor. John Knochel made a motion to recess the meeting to sign the agreement on July 11<sup>th</sup>, 2006 at 11 A.M. KD Benson recessed the meeting until July 11, 2006 at 11 A.M.

---

**July 11, 2006 11:00 A.M.**

KD Benson called the recessed meeting back to order. Drainage Board Vice President John Knochel, Commissioner Ruth Shedd member, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman and Secretary Brenda Garrison were in attendance as well.

The Surveyor stated he met with Milestone and Kettelhut as well as Roger Fine from Fisher & Associates concerning the logistics of removing the dirt and stockpiling. An additional meeting was scheduled today to finalize the details of the excavation process. He noted, as built would be provided to the County once the excavation was completed. The County Highway would attend today's meeting as well. The Surveyor would request a letter of understanding from Kettelhut and Milestone Contractors for the project at that time. In response to KD Benson's inquiry, the Surveyor informed the Board a Waiver and Release had been obtained from Milestone Contractors releasing the Drainage Board from any liability during the excavation process. He noted the Clarian Arnett Hospital project had received approval for mass grading only from the Board and the project would be presented to the Board at a later date for final approval.

In response to Dave Luhman's inquiry, the Surveyor stated it was the intention to have the grading for the Berlowitz Regulated Drain #8 Regional Detention Phase 1 project completed by July or August and hoped to have the contract documents ready to let out for BIDS by early fall this year.

John Knochel made a motion to adjourn the meeting. Ruth Shedd seconded the motion. The meeting was adjourned.

---

KD Benson, President

---

John Knochel, Vice President

---

Brenda Garrison, Secretary

---

Ruth Shedd, Member